

## 2013 DRAFTING REQUEST

### Bill

Received: 1/9/2013 Received By: fknepp  
Wanted: As time permits Same as LRB: -3528  
For: Sandy Pasch (608) 266-7671 By/Representing: Fred Ludwig  
May Contact: Drafter: fknepp  
Subject: Education - miscellaneous Addl. Drafters:  
Extra Copies: Peter Grant

Submit via email: YES  
Requester's email: Rep.Pasch@legis.wisconsin.gov  
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov  
fern.knepp@legis.wisconsin.gov

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### Pre Topic:

No specific pre topic given

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### Topic:

Pupil possession of an epinephrine injector

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### Instructions:

Redraft 2011 LRB 3425/3

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### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	fknepp 1/16/2013	scalvin 2/1/2013	jfrantze 2/1/2013	_____			
/1				_____	mbarman 2/1/2013	mbarman 11/26/2013	

FE Sent For:

→ Not  
Needed

<END>

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## **Topic:**

Pupil possession of an epinephrine injector

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/?	fknepp	1/1 SAC 02/01/2013					

FE Sent For:

<END>

## Grant, Peter

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**From:** Ludwig, Frederic  
**Sent:** Tuesday, January 08, 2013 3:20 PM  
**To:** Grant, Peter  
**Subject:** 2011 LRB 3425

Hi Peter,

Could we get a redraft of 2011 LRB 3425/3 that you worked on for us?

Thanks,  
Fred

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**FRED LUDWIG**  
**OFFICE OF STATE REPRESENTATIVE SANDY PASCH**  
**ASSISTANT DEMOCRATIC LEADER**  
119 North, State Capitol  
608.266.7671 *o*  
888.534.0022 *tf*  
608.282.3622 *f*



State of Wisconsin  
~~2011-2012~~ LEGISLATURE  
2013-2014



LRB 3425/3

PC med&kj/m

1073/1  
FFIE & RMWR  
See

In 1-16-2013

~~2011~~ ASSEMBLY BILL 564

February 14, 2012 - Introduced by Representatives PASCH, BALLWEG, JORGENSEN, THIESFELDT, C. TAYLOR, BERCEAU, BEWLEY, TURNER, BILLINGS, RADCLIFFE, SINICKI, SEIDEL, GRIGSBY and DOYLE, cosponsored by Senators VINEHOUT, C. LARSON, OLSEN, RISSER and TAYLOR. Referred to Committee on Education.

- gen act*
- 1 AN ACT *to create* 118.292 (1v) and 118.292 (2) (c) of the statutes; relating to: a  
2 pupil's possession and use of an epinephrine auto-injector.

***Analysis by the Legislative Reference Bureau***

Under current law, a pupil may possess and use an epinephrine auto-injector while in a public, private, or tribal school, at a school-sponsored activity, or under the supervision of a school authority if the pupil uses the injector to prevent the onset or alleviate the symptoms of an emergency situation. An emergency situation is a situation in which a pupil reasonably believes that he or she is experiencing a severe allergic reaction, including anaphylaxis, that requires the administration of epinephrine to avoid severe injury or death.

*In order to possess and use an epinephrine auto-injector while in school, current law requires*  
The pupil ~~must~~ obtain the written approval of the pupil's physician and, if the pupil is a minor, the written approval of the pupil's parent or guardian, and ~~must~~ to provide the school principal with a copy of the approval or approvals.

This bill requires the governing body of each school to adopt a written policy describing the procedure for a pupil's possession and use of an epinephrine auto-injector. The policy must require that school employees do the following:

1. Inform the pupil that if he or she uses an epinephrine auto-injector, he or she must notify a school employee as soon as possible.
2. If the pupil notifies a school employee, report the pupil's use of the epinephrine auto-injector by dialing "911."

The bill also exempts school boards and districts, private schools, and tribal schools, and their employees, from civil liability for an injury incurred by any person

**ASSEMBLY BILL 564**

as a result of a school employee failing to satisfy either of these requirements if the school employee had a good faith belief that the requirement had been satisfied.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

<sup>x</sup>  
SECTION 1. 118.292 (1v) of the statutes is created to read:

1                   ~~Each school board and then~~ <sup>private</sup> ~~private or tribal~~  
2                   118.292 (1v) ~~The~~ governing body of each school shall adopt a written policy  
3 describing the procedure for a pupil's possession and use of an epinephrine  
4 auto-injector under sub. (1r). The policy shall require school employees to do all of  
5 the following:

6                   (a) Inform the pupil that if he or she uses the epinephrine auto-injector, he or  
7 she must notify a school employee as soon as possible.

8                   (b) If the pupil notifies a school employee under par. (a), report the pupil's use  
9 of the epinephrine auto-injector by dialing the telephone number "911" or, in an area  
10 in which the telephone number "911" is not available, the telephone number for an  
11 emergency medical service provider.

<sup>x</sup>  
SECTION 2. 118.292 (2) (c) of the statutes is created to read:

13                   118.292 (2) (c) Any person as a result of a school employee failing to inform a  
14 pupil under sub. (1v) (a) or failing to report a pupil's use of an epinephrine  
15 auto-injector under sub. (1v) (b) if the school employee had a good faith belief that  
16 the requirement under sub. (1v) (a) or (b) had been satisfied.

17                   (END)

**Barman, Mike**

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**From:** Rep.Pasch  
**Sent:** Tuesday, November 26, 2013 10:36 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -1073/1 Topic: Pupil possession of an epinephrine injector

Please Jacket LRB -1073/1 for the ASSEMBLY.